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PROPOSED COUNSEL FOR DEBTOR
AND DEBTOR IN POSSESSION
MODE ELEVEN BANCORP

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF WYOMING**

In re:)
) Chapter 11
MODE ELEVEN BANCORP,)
) Case No. 25-20240
)
Debtor in Possession)

**DECLARATION OF JOHN MILLER IN SUPPORT OF DEBTOR'S MOTION
FOR ENTRY OF AN ORDER (I) APPROVING THE BIDDING
PROCEDURES; (II) APPROVING BID PROTECTIONS; (III) APPROVING
PROCEDURES FOR ASSUMPTION AND ASSIGNMENT OF CERTAIN
EXECUTORY CONTRACTS AND RELATED NOTICES; (IV) SCHEDULING
THE BID DEADLINE, THE AUCTION AND SALE HEARING; (V)
APPROVING THE FORM AND MANNER OF NOTICE THEREOF; AND (VI)
GRANTING RELATED RELIEF**

I, John Miller, pursuant to 28 U.S.C. § 1746, hereby declare under penalty of perjury:

1. I am the President and Chief Executive Officer of Mode Eleven Bancorp (the “Debtor”), a bank holding company organized under the laws of the State of Wyoming. I have served as the Debtor’s CEO since December 15, 2023, and I am familiar with the Debtor’s day-to-day operations, financial affairs, and books and records.

2. Since the Petition Date, the Debtor and Summit National Bank (the “Bank”) have continued to face significant regulatory scrutiny. Given the regulatory history of the Bank, including the OCC Consent Order,¹ I believe that there is a heightened risk of further supervisory action against the Bank in the near-term, particularly if there is any indication of deterioration of the financial condition of the Bank.

3. In light of these regulatory risks, I believe that Mode Eleven must pursue an expeditious sale process in order to protect the value of the Bank, which comprises nearly all of the value of Mode Eleven’s estate.

4. I believe that prompt identification of a financially capable buyer with the ability to obtain regulatory approval for acquisition of the Equity Interests will best facilitate the preservation of value for the estate and all stakeholders.

Dated: June 18, 2025
Cheyenne, Wyoming

/s/ John Miller

John Miller
Chief Executive Officer
Mode Eleven Bancorp

¹ Capitalized terms used but not defined herein have the meanings ascribed to them in the *Declaration of John Miller, CEO of Mode Eleven Bancorp, in Support of Chapter 11 Petition and Related Motions* (the “First Day Declaration”) [Dkt. 6].